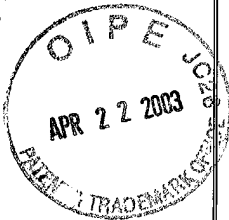


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Assistant Commissioner for Patents, Washington, D.C. 20231, on

April 14, 2003
QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

By: Janie Brooks

Atty Docket No: 407E-914026US
Client Ref: 92-005-E



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Daniel J. Pinkel; Joe W. Gray; Anne
Kallioniemi; Olli-Pekka Kallioniemi; Frederic
Waldman

Application No.: 09/912,818

Filed: 7/24/2001

For: **Comparative Genomic Hybridization**

Examiner: Fredman, J.

Art Unit: 1655

AMENDMENT

TECH CENTER 1600/2900

APR 25 2003

RECEIVED

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Final Office Action dated November 14, 2002, Applicants respectfully request reconsideration of the above-identified application in view of the following amendments and remarks. The following document(s) is/are enclosed herewith:

- 1) A petition to extend the period for response by 2 months; and
- 2) A Terminal Disclaimer; and
- 3) Henderson's Dictionary of Biological Terms (Longman Group UK Limited 1989), pages 24, 25, and 557.

Please amend the specification and/or claims as follows.

In the Claims:

Cancel claims 62-67 and 77-86 without prejudice.

These amendments are made without prejudice and are not to be construed as abandonment of the previously claimed subject matter or agreement with the Examiner's position. In accordance with the requirements of 37 C.F.R. § 1.121, a marked up version of the claims showing the changes, is attached as Appendix A. For the Examiner's convenience, a complete set of the currently pending claims is also provided as Appendix B.

Please type a plus sign (+) inside this box → ☒

(Modified) PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

20

Application Number

09/912,818

Filing Date

July 24, 2001

First Named Inventor

Daniel Pinkel

Group Art Unit

1637

Examiner Name

J. Fredman

Attorney Docket Number

407E-914026U

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
☐ Fee Attached
- ☒ Amendment / Response
☒ After Final
☐ Affidavits/declaration(s)
- ☒ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☒ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (please identify below):
receipt acknowledgment postcard

Authorization to Charge Deposit Account

Please charge Deposit Account No. 50-0893 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Emily M. Haliday, Reg. No. 38,903, Quine Intellectual Property Law Group P.C.

Signature

Emily M. Haliday

Date

April 14, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: **4-14-03**

Typed or printed name

Tracie Brooks

Signature

Tracie Brooks

Date

4-14-03

FEE TRANSMITTAL for FY2002

Patent fees are subject to annual revision.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

TOTAL AMOUNT OF PAYMENT (\$)
520

Complete if Known

Application Number 09/912,818
Filing Date July 24, 2001
First Named Inventor Daniel Pinkas
Examiner Name J. Fredman
Group / Art Unit 1637
Attorney Docket No. 407E-914026US

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 50-0893
Deposit Account Name Quine Intellectual Property Law Group, P.C.

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. ☐ Payment Enclosed:
☐ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 750	201 375	Utility filing fee	
106 310	206 155	Design filing fee	
107 480	207 240	Plant filing fee	
108 690	208 345	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 78	209 39	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet.	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 410	216 205	Extension for reply within second month	410
117 930	217 465	Extension for reply within third month	
118 1450	218 725	Extension for reply within fourth month	
128 1970	228 985	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 300	220 150	Filing a brief in support of an appeal	
121 260	221 130	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1300	241 650	Petition to revive - unintentional	
142 1300	242 650	Utility issue fee (or reissue)	
143 430	243 215	Design issue fee	
144 580	244 290	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 690	246 345	Filing a submission after final rejection (37 CFR 1.129(a))	
149 690	249 345	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) Terminal disclaimer 1.20(d)

110

Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)
520

SUBMITTED BY

Typed or Printed Name Emily M. Haliday

Signature

Emily M. Haliday

Date

Apr. 14, 2003

Complete (if applicable)

Reg. Number 38,903

Deposit Account User ID

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Signature

Tracie Brooks

Date

4-14-03